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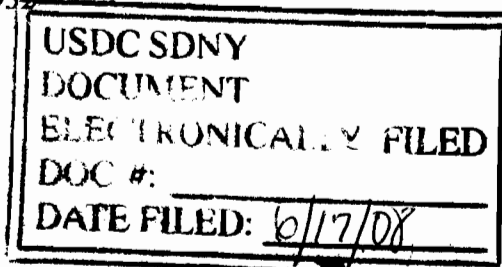
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June 16, 2008

Via Facsimile: (212) 805-7932

The Honorable Theodore H. Katz  
United States District Court  
Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1660  
New York, NY 10007-1312



Re: *Ace American Insurance Company a/s/o Steven and Laurie Friedel v.  
H.O. Penn Machinery Company, Inc.*  
2008 Civ. 2929 (SHS) (THK)  
Our File: 230-28

Dear Honorable Judge:

We represent Plaintiff in the above captioned civil action and write to request leave of the Court to amend our Complaint. This action was mistakenly filed on behalf of the wrong subrogated underwriter. Our firm represents both Ace American Insurance Company ("ACE") and Insurance Company of North America ("INA"), who are both members of the Ace Group of Insurance Companies. However, the proper party in this action is INA, not ACE. We have brought this issue to the attention of Defendant's counsel and he has raised no objections to our request.

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Accordingly, we respectfully request your Honor's permission to amend our Complaint to reflect the aforementioned. We thank the Court for its attention to this matter and look forward to its comments.

Respectfully submitted,  
CASEY & BARNETT, LLC

  
Gregory G. Barnett

GGB/crm

SO ORDERED:

  
United States Magistrate Judge

cc: Jason T. Katz 631-755-0117  
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